

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. F-292  
First Inventor Errico;  
Title Interferential Space Device Having Regulated Mode Pulse for Manipulation Using a Suction Tool  
Express Mail Label No. ER005068818US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Attach an original and a duplicate for fee processing)  
Applicant claims small entity status.  
See 37 CFR 1.27.
2. ☒ Specification (Total Pages 74)  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 27]  
[Total Pages 3]
4. ☒ Oath or Declaration [Total Pages 3]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
  - c. ☐ DELETION OF INVENTOR(S)  
(Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(c)(2) and 1.59(b).
5. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☒ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No. 10/282,356; 10/309,585; 10/425,267

Prior application information:

Examiner

Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 18, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



or Correspondence address below

Name  
Address  
City State Zip Code  
Country Telephone Fax

Name (Print/Type) Timothy J. Bortree Registration No. (Attorney/Agent) 43,506  
Signature [Signature] Date 9/16/2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

The PTO did not receive the following listed items: (a) 6A-66 of spec

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 410.00

## Complete if Known

Application Number	
Filing Date	9/16/2003
First Named Inventor	Errico;
Examiner Name	
Group Art Unit	
Attorney Docket No.	F-292

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-2615

Deposit Account Name: SpineCore

☒ Charge Any Additional Fee Required Under 37 CFR 1.119 and 1.117

☒ Applicant claims small entity status. See 37 CFR 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION (continued)

### 1. BASIC FILING FEE

Large Entity Fee Code (1)	Small Entity Fee Code (2)	Fee Description	Fee Paid
101	201	Utility filing fee	370.00
106	206	Design filing fee	
107	207	Plant filing fee	
108	208	Reissue filing fee	
114	214	Provisional filing fee	
SUBTOTAL (1) (\$)			370.00

### 2. EXTRA CLAIM FEES

Total Claims: 20

Independent Claims: 1

Multiple Dependent: 1

Extra Claims Fee from below:

20<sup>th</sup> = 0.00

1<sup>st</sup> = 0.00

Large Entity Fee Code (1)

Small Entity Fee Code (2)

Fee Description

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

108 80 208 40 Release independent claims over original patent

110 18 210 9 Release claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

### 3. ADDITIONAL FEES

Large Entity Fee Code (1)	Small Entity Fee Code (2)	Fee Description	Fee Paid
105	205	Surcharge - late filing fee or oath	
127	227	Surcharge - late provisional filing fee or cover sheet	
130	230	Non-English specification	
147	247	For filing a request for ex parte reexamination	
112	212	Requesting publication of SIU prior to Examiner action	
113	213	Requesting publication of SIU after Examiner action	
115	215	Extension for reply within first month	
116	216	Extension for reply within second month	
117	217	Extension for reply within third month	
118	218	Extension for reply within fourth month	
128	228	Extension for reply within fifth month	
119	219	Notice of Appeal	
120	220	Filing a brief in support of an appeal	
121	221	Request for oral hearing	
138	238	Petition to institute a public use proceeding	
140	240	Petition to revive - unavoidable	
141	241	Petition to revive - unintentional	
142	242	Utility issue fee (or release)	
143	243	Design issue fee	
144	244	Plant issue fee	
122	222	Petitions to the Commissioner	
123	223	Processing fee under 37 CFR 1.17(a)	
126	226	Submission of Information Disclosure Sheet	
581	681	Recording each patent assignment per property (three number of properties)	40.00
148	248	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	249	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	Request for Continued Examination (RCE)	
188	288	Request for expedited examination of a design application	
Other fee (specify)			
SUBTOTAL (3) (\$)			40.00

\*For number previously paid, if greater, For Release, see above

\*Reduced by Basic Filing Fee Paid

SUBMITTED BY		Complete if applicable	
Name (Print/Type)	Timothy J. Bortree	Registration No. (Attorney/Agent)	43,506
Signature		Telephone	908-273-6461
		Date	9/16/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**CERTIFICATE OF MAILING UNDER 37 CFR 1.8 AND 1.10**

**TO THE COMMISSIONER FOR PATENTS:**

I hereby certify that this correspondence is being deposited on 9/16/2003  
with the United States Postal Service's "Express Mail Post Office to Addressee" service  
and is addressed to;

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail Label Number: ER005068818US

**DOCUMENTS INCLUDED:**

- ☒ Patent Application Transmittal (1 page)
- ☒ Fee Transmittal Form (1 page) (in duplicate)
- ☒ Specification and Claims (74 pages) (including 5 pages of claims)
- ☒ Informal Drawings (27 sheets)
- ☒ Oath(s) or Declaration(s) (3 pages)
- ☒ Power(s) of Attorney (1 pages)
- ☒ Assignment(s) (3 pages)
- ☒ Recordation Form Cover Sheet (1 page) (in duplicate)
- ☒ Statement Under 37 CFR 3.73(b) (1 page)
- ☒ Return Receipt Postcard
- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_
- ☐ \_\_\_\_\_

Signed: \_\_\_\_\_

  
Timothy J. Bortree

Reg. No. \_\_\_\_\_

43,506

Date: \_\_\_\_\_

9/16/2003

DOCKET NUMBER: F-292